

GOVERNMENT OF TELANGANA
ABSTRACT

SCHEDULED CASTES DEVELOPMENT DEPARTMENT – Public Servants - Certain serious irregularities committed in the maintenance of Social Welfare Hostels during the year 1991-92 to 1993-94 – Disciplinary action initiated against Sri G.Venkata Swamy, Hostel Welfare Officer Grade-II (Retired), Warangal district – Release of pension and other retiral benefits - Orders – Issued.

SCHEDULED CASTES DEVELOPMENT (SER.A2) DEPARTMENT

G.O.RT.No. 408

Dated: 29/09/2015

Read the following:-

1. Proceedings of the District Collector, Warangal Rc.No.B1/621/2000-I (10), dt. 22.7.2000
2. From the Hon'ble APAT, Hyderabad orders dt. 19.10.2012 in OA No.6104/2011, 6112/2011, 6216/2011 & 6106/2011.
3. G.O.Rt.No.232, SW (Ser.III.1) Dept., dt. 26.3.2014
4. From the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P, orders Dt. 13.8.2014 in Writ Petition No.16264 of 2013.
5. From the Director, SCD, Telangana, Hyderabad Lr.Rc.No.A3/1176/2014, dt.7.10.2014.
6. From the Hon'ble APAT, Hyderabad C.A.No. 501/2013 in O.A.No.6112/2011 dt.17.8.2015 and 14.9.2015.

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ORDER :

Whereas on the receipt of credible information that the Wardens/ Matrons of Social Welfare Hostels in Warangal District committed certain serious financial irregularities in the maintenance of Hostels / Institutions during the year 1993-94, the Joint Director (Vigilance), O/o the Commissioner of Social Welfare, A.P., Hyderabad has conducted a preliminary enquiry. The enquiry report revealed that there was misappropriation of Government funds to a tune of Rs.109.50 lakhs during the year 1993-94 and the Deputy Director (SW), District Social Welfare Officer, Assistant Social Welfare Officers and Wardens / Matrons along with some Treasury Officials were involved in misappropriation of Government funds. It was also found that as against (94) Social Welfare Hostels in the District, (32) Social Welfare Hostels were involved in misappropriation and it was decided to initiate action against the other Wardens / Matrons as per the CC&A Rules, in case, they are found responsible for committing financial irregularities in the maintenance of the hostels / institutions basing on the special audit proposed for the financial years 1991-92, 1992-93 & 1993-94.

2. Based on the preliminary enquiry report submitted by the Commissioner of Social Welfare, A.P., Hyderabad, (32) Wardens / Matrons of Social Welfare Hostels were placed under suspension and definite charges were framed against them and also against the Assistant Social Welfare Officer's concerned. After receipt of the explanations from the Charged Officers, the Assistant Director (Legal Cell), O/o Commissioner of Social Welfare was appointed as common enquiry officer under Rule 24 (1) of APCS (CC&A) Rules vide Procs.No.M1/21006/94, dated.4-6-1995 to conduct detailed enquiry. The Assistant Director (Legal Cell) submitted his report on 30-12-1995. The District Collector, Warangal, who is the disciplinary authority in respect of Wardens / Matrons, has initiated disciplinary action against them, and the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad who is the disciplinary authority in respect of Assistant Social Welfare Officers/District Social Welfare Officers, has initiated the disciplinary action against the Assistant Social Welfare Officers/District Social Welfare Officers.

(p.t.o.)

3. In view of the high magnitude and serious nature of the defalcation of Government funds and involvement of as many as (32) Wardens / Matrons and the Assistant Social Welfare Officers including Sri. G.Venkata Swamy, Hostel Welfare Officer, Thorur, Warangal district, disciplinary action was initiated.

4. The District Collector, Warangal has issued charge memo to Sri G.Venkata Swamy, Hostel Welfare Officer Grade-II (now Retd), in the proceeding 1st read above.

5. Sri G.Venkata Swamy, Hostel Welfare Officer Grade-II (Retired), Government Social Welfare (Boys) Hostel, Warangal district has filed O.A 6112/2011 before the Hon'ble A.P. Administrative Tribunal with a prayer to set aside the Charge Memo issued in Procs.No. B1/621/2000-1(10), Dt.22.7.2000 by the District Collector, Warangal.

6. In the reference 2nd read above, the Hon'ble APAT, Hyderabad in its orders dated 19.10.2012 in the above said OA No. 6112/2011 and batch have issued the following orders:

"Setting aside the impugned charge Memos in 1) Proceedings.Rc.No.B1/621/2000-I(2), Dated.22.07.2000, 2) Proceedings.Rc.No.B1/621/2000-I(10), Dated.22.07.2000, 3) Proceedings.Rc.No.B1/621/2000-I(24), Dated.22.07.2000, and 4) Proceedings.Rc.No.B1/621/2000-I(9), Dated.22.07.2000 issued by the 3rd respondent i.e., District Collector, Warangal Dist., and directed to pay full pension and retirement benefits to the applicants with interest at the rate of 9% p.a. from the date of filing of the OAs i.e., 18.07.2011 and 20.07.2011, other than gratuity. The Gratuity amount shall be paid together with interest as per rules. No costs. The above exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order."

7. Aggrieved with the orders of Hon'ble A.P. Administrative Tribunal, Hyderabad, the District Collector, Warangal has filed Writ Petition No.16264 of 2013 and batch before the Hon'ble High Court against the orders dated 19.10.2012 of Honourable Andhra Pradesh Administrative Tribunal, Hyderabad.

8. While the matter is under examination, Sri G.Venkata Swamy, Hostel Welfare Officer Grade-II (Retired), Warangal district has filed C.A No.501/2013 for not implementing the orders dated 19.10.2012 in OA. No.6112/2011 of the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad.

9. In the reference 3rd read above, orders were issued implementing the orders of Hon'ble High Court of A.P., dated 09.12.2013, in W.P.Nos. 16263, 16265 & 16266 of 2013, and ordered to release the pension and other retiral benefits payable to Sri Ch.Sudarshanreddy, Hostel Welfare Officer (Retd), Sri J.Janardhan, Hostel Welfare Officer (Retd) and Sri M.Narasaiah, Hostel Welfare Officer (Retd) respectively.

10. In the reference 4th read above, the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P in its order dated 13.08.2014 in W.P.No.16264 of 2013 have directed as follows:

"This Writ Petition is filed challenging the order dated 19.10.2012 in Original Application No.6112 of 2011 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal'), which was disposed of by the Tribunal along with Original Application Nos.6104 of 2011, 6216 of 2011 and 6106 of 2011.

Heard both sides.

(Contd....3)

Both the counsel stated that Writ Petition Nos.16263 of 2013, 16265 of 2013 and 16266 of 2013, which were preferred against the order dated 19.10.2012 passed by the Tribunal in the aforesaid other Original Application Nos.6104 of 2011, 6216 of 2011 and 6106 of 2011 were disposed of, by a Division Bench of this Court vide order dated 09.12.2013, and the issue involved in this Writ Petition is squarely covered by the said order of this Court.

Following the same, the Writ Petition is disposed of, in terms of the order dated 09.12.2013 in Writ Petition Nos.16263 of 2013, 16265 of 2013 and 16266 of 2013, by setting aside the order of the Tribunal to the extent of granting interest on the pension and other retiral benefits payable to the first respondent/applicant while confirming it in all other respects, and directing the petitioners to release the pension and other retiral benefits payable to the first respondent/applicant within a period of three months from the date of receipt of a copy of this order. No costs. Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed".

11. In the reference 5th read above, the Director, SCD,TS, Hyderabad has forwarded the orders dated 13.08.2014 in W.P.No.16264 of 2013 of Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P to the Government for taking further necessary action in the matter.

12. Government, after careful examination of the matter in detail, hereby order to implement the orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P, dated 13.08.2014 in W.P.No.16264 of 2013, as it is a similar case as considered for others in the reference 3rd read above and to release the pension and other retiral benefits payable to Sri G.Venkata Swamy, Hostel Welfare Officer Grade-II (Retired), Warangal district.

13. The Director, SCD, TS, Hyderabad and the District Collector (SCD), Warangal are requested to take action accordingly and report compliance.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To

The Director, SCD, TS, Hyderabad

The Collector(SCD), Warangal District.

Sri G.Venkata Swamy, Hostel Welfare Officer Grade-II (Retired), Warangal district through the District Collector (SCD), Warangal

Copy to :-

The Accountant General, Telangana, Hyderabad.

The Deputy Accountant General (Pension) O/o. the Accountant General, Telangana, Hyderabad.

P.S to Vigilance Commissioner, Telangana Vigilance Commission.

P.S to Spl.Secretary to C.M.(BR)

SC/SF.

// FORWARDED:: BY ORDER //

SECTION OFFICER